



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

09/895,195

07/02/2001

Makoto Shimizu

Q65225

1512

7590

07/31/2003

SUGHRUE, MION, ZINN,  
MACPEAK & SEAS, PLLC  
2100 Pennsylvania Avenue, N.W.  
Washington, DC 20037-3213

EXAMINER

WEEKS, GLORIA R

ART UNIT

PAPER NUMBER

3721

DATE MAILED: 07/31/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/895,195

Applicant(s)

SHIMIZU ET AL.

Examiner

Gloria R Weeks

Art Unit

3721

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM  
THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 12 June 2003.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 25-37 and 39-41 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 25-29, 37 and 39-41 is/are allowed.
- 6) ☒ Claim(s) 30-36 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

### Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 14
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

***Response to Request for Reconsideration***

1. This action is in response to Applicants' request for reconsideration filed June 12, 2003.

***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 30-36 are rejected under 35 U.S.C. 103(a) as being unpatentable over McCole (USPN 4,312,939) in view of Rutledge et al. (USPN 5,188,580).

In reference to claim 30, McCole discloses an apparatus for manufacturing an instant photography film unit which comprises a mask sheet (21) having an image frame (3a) and two sheets (1,3), one of which has a photosensitive layer (column 4, lines 15-16), superposed and bonded to each other (column 5, lines 18-19), and a pod (30) storing a developing solution (column 6, lines 63-64) and disposed on the sheets in a predetermined position (column 7, lines 2-3), the arrangement being such that the developing solution supplied from the pod extends between the two sheets (1, 3) to form an image (column 8, lines 13-21), the apparatus comprising: a component supply station (2, 4, 18) for supplying the mask sheet (21) and the two sheets (1, 3); a bonding station (18) for bonding the mask sheet (21) and the two sheets (1, 3) in a laminated state, with at least one of the mask sheet (21) and the two sheets (1, 3) comprising a continuous member (2, 4); a cutting station (43) for cutting the continuous member to a predetermined length for thereby producing a self-developing instant photography film unit

Art Unit: 3721

(figure 1; column 7, lines 20-23). McCole does not disclose a free loop in a feed region.

Rutledge et al. teaches an apparatus for manufacturing a film (22) comprising at least one free loop (194, 204) disposed in a feed region (figure 1A). It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the apparatus of McCole to include at least one free loop of Rutledge et al. for the purpose of feeding the web at different speeds in particular stations of the conveying plane without affecting other stations of the apparatus (Rutledge et al.- abstract, lines 14-30).

Regarding claim 31 and its limitations as stated above, the modified apparatus of McCole in view of Rutledge et al teaches an apparatus further comprising first feed means (Rutledge et al.-90) disposed upstream of the free loop for feeding the continuous member a predetermined pitch interval at a time; and a second feed means (Rutledge et al.-rollers 92, 94; figure 12; abstract, lines 14-30; column 9, lines 38-42; column 11, lines 5-24) disposed downstream of the free loop for feeding the continuous member a predetermined pitch interval at a time.

With respect to claim 32 and its limitations as stated above, the modified apparatus of McCole in view of Rutledge et al. teaches an apparatus further comprising detecting means (Rutledge et al.-142, 144, 146, 148, 150) disposed downstream of the free loop for detecting a positioned area of the continuous member and feeding the continuous member and feeding the continuous member a predetermined number of pitches at a time with the second feed means based on the detected positioned area.

Regarding claim 33 and its limitations as stated above, McCole discloses an apparatus for manufacturing an instant photography film unit wherein the component supply station comprises means for supplying (McCole-18) the mask sheet (McCole-21) and the two sheets as (McCole-1,

Art Unit: 3721

3) first through third continuous members (McCole-2, 4; figure 1), the arrangement being such that the first through third continuous members (McCole-2, 4) are cut together (McCole-43) after being bonded (McCole-18) to each other (McCole-column 6, lines 12-17; column 7, lines 20-23).

With respect to claim 34 and its limitations as stated above, McCole discloses an apparatus for manufacturing an instant photography film unit further comprising a beveling station (McCole-25) for beveling corners of the instant photography film unit (McCole-column 6, lines 56-60).

In reference to claim 35 and its limitations as stated above, McCole discloses an apparatus for manufacturing an instant photography film unit further comprising a fold forming station (McCole-41) for forming foldable thin portions on opposite marginal side edges of the image frame (3a) of the mask sheet (McCole-21), the foldable thin portions having a predetermined depth across the mask sheet (McCole-21; column 7, lines 11-15).

Regarding claim 36 and its limitations as stated above, McCole discloses an apparatus for manufacturing an instant photography film unit further comprising an air hole forming stations (McCole-33) for forming a deformed area (McCole-34) at the trap and serving as an air passage (McCole-column 7, lines 61-65).

***Allowable Subject Matter***

4. Claims 25-29, 37 and 39-41 are allowed. The following is a statement of reasons for the indication of allowable subject matter: in light of the arguments filed on June 12, 2003 (Paper No. 13) and further examination of the art of record, it has been decided that the art considered as a whole, alone or in combination, neither anticipates nor renders obvious the claimed apparatus for manufacturing a film unit wherein a first, second, and third continuous member is fed a

Art Unit: 3721

plurality of pitches at a time at a bonding station. Examiner has interpreted the phrase "a plurality of pitches at a time" to be defined as multiple speeds or feed rates.

### ***Response to Arguments***

5. Applicant's arguments, see pages 1-3, filed June 12, with respect to the rejection of claims 25-29, 37 and 39-41 have been fully considered and are persuasive. The rejection of claims 37 and 39-41 has been withdrawn.
6. Applicant's arguments with respect to claims 30-36 have been considered but are moot in view of the new ground(s) of rejection.

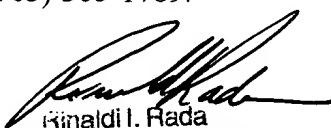
### ***Conclusion***

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Refer to attachment for notice of references cited and recommended for consideration.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gloria R Weeks whose telephone number is (703) 605-4211. The examiner can normally be reached on 9:30 am - 8:00 pm Monday-Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rinaldi I Rada can be reached on (703) 305-2187. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 308-7769 for regular communications and (703) 308-7769 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-1789.

  
Rinaldi I. Rada  
Supervisory Patent Examiner  
Group 3700

Application/Control Number: 09/895,195

Page 6

Art Unit: 3721

Gloria R Weeks

Examiner

Art Unit 3721



grw

July 24, 2003